



A RESOLUTION BY THE PUBLIC SAFETY AND LEGAL ADMINISTRATION
COMMITTEE

02-*R*-1984

A RESOLUTION AUTHORIZING SETTLEMENT OF ALL CLAIMS OF CARLTON GREGORY, SR., INDIVIDUALLY AND AS NEXT FRIEND AND FATHER OF CARLTON GREGORY, JR., A MINOR, AGAINST THE CITY OF ATLANTA, SGT. CHARLES MOLNAR, OFFICER RICHARD JONES, OFFICER WILLIAM MUNSON, AND OFFICER ANTHONY GENTILE IN THE CASE OF CARLTON GREGORY, SR., ET AL. V. KEEON JEROME ALMON, ET AL., CIVIL ACTION NUMBER 01-1409-6, IN THE SUPERIOR COURT OF DEKALB COUNTY; TO CAUSE PAYMENT TO BE MADE IN THE AMOUNT OF TWENTY THOUSAND DOLLARS (\$20,000.00); AND FOR OTHER PURPOSES.

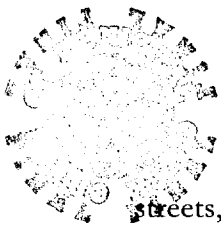
WHEREAS, on January 16, 2001, the Plaintiff initiated the case of Carlton Gregory, Sr., et al. v. Keeon Jerome Almon, et al., alleging that the City of Atlanta and co-defendants are liable for personal injury arising from a motor vehicle collision which occurred on December 26, 1999; and

WHEREAS, on December 26, 2001, Plaintiffs filed an Amended Recast Complaint which, *inter alia*, added Atlanta Police Sergeant Charles Molnar and Atlanta Police Officers Richard Jones, William Munson and Anthony Gentile; and

WHEREAS, the Plaintiff's lawsuit stems from a police pursuit initiated by an Austell Police Department officer who observed a white Buick LeSabre run a red light in Austell; and

WHEREAS, two Austell officers, whose patrol cars were equipped with video cameras which taped the incident, pursued the driver of the Buick LeSabre onto I-20 eastbound and into the Atlanta city limits at speeds of approximately 120 miles per hour; and

WHEREAS, in order to render assistance to Austell, Anthony Gentile, who was on duty as an Atlanta police officer assigned to the Zone 6 precinct, joined the pursuit along I-20 westbound at Flat Shoals Road; and



WHEREAS, the Buick exited I-20 at Glenwood Road and, after traveling on several side streets, the Buick reentered I-20, at which time Officer Gentile was a great distance behind the Buick; and

WHEREAS, Atlanta police officers Jones and Munson joined in the pursuit behind one Austell car at Maynard Terrace, shortly before the Buick exited I-20 at Moreland Avenue and continued east on Memorial Drive, where Officer Gentile drove behind Officer Munson; and

WHEREAS, Sgt. Molnar, who was responsible for monitoring the chase by communicating with the Atlanta officers who were involved, was unable to determine the cause of the pursuit from the Atlanta Police Department dispatcher covering Zone 6, who was in contact with Austell dispatch; and

WHEREAS, after the chase continued into unincorporated DeKalb County, the Buick ran a red light at Memorial Drive and Covington Highway, striking the vehicle in which Carlton Gregory, Jr., was a passenger; and

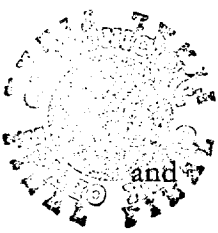
WHEREAS, Carlton Gregory, Jr., who was fifteen (15) years old at the time, sustained a fractured neck, a mild head injury, and other injuries; and

WHEREAS, Carlton Gregory, Jr.'s treatment included the attachment of a halo traction to his skull in an effort to align his spine, and he underwent surgery whereby bone was removed from his hip and affixed to his spine in order to fuse three vertebrae; and

WHEREAS, Carlton Gregory, Jr.'s medical expenses exceed \$85,000.00 to date; and

WHEREAS, the parties mediated this matter on October 9, 2002, with the assistance of Arthur Glaser, Esq., of Henning Mediation; and

WHEREAS, counsel for the parties have tentatively agreed to settle all claims in this matter for a total of \$505,000.00, including attorney's fees, plus Plaintiff's portion of the cost of mediation;



WHEREAS, the parties have tentatively agreed that the portion of the settlement attributed to Defendants City of Atlanta, Gentile, Jones, Molnar, and Munson, is \$20,000.00 plus Plaintiff's portion of the cost of mediation, which totals \$1,370.00, contingent upon the approval of the Atlanta City Council and the Mayor; and

WHEREAS, by this settlement, Defendants admit no liability; and

WHEREAS, the offer of settlement acceptable to the Plaintiff is, in the opinion of the City Attorney, appropriate to settle all claims against the City and Officers Gentile, Jones, Molnar and Munson arising out of the case of Carlton Gregory, Sr., et al. v. Keeon Jerome Almon, et al.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES that the City Attorney be and is hereby authorized to conclude settlement of all claims against the City of Atlanta and Officers Anthony Gentile, Richard Jones, Charles Molnar and William Munson arising out of the lawsuit filed by the Plaintiff in the Superior Court of DeKalb County, as set forth in Civil Action Number 01-1409-6.

THE CITY COUNCIL FURTHER RESOLVES that the Chief Financial Officer is authorized to pay the total of Twenty Thousand Dollars (\$20,000.00) at the direction of the City Attorney from the account of 1A01 529017 T31001. Payment shall be in the form of a check in the amount of \$20,000.00, payable to Carlton Gregory, Sr., Carlton Gregory, Jr., and E. Marcus Davis, Esq. Such payment will be in full consideration of the dismissal of all claims against the City of Atlanta and its officers.

A true copy,

Deputy Clerk

ADOPTED by the Council
APPROVED by the Mayor

NOV 18, 2002
NOV 26, 2002

RCS# 4225
11/18/02
2:59 PM

Atlanta City Council

Regular Session

CONSENT I Pgs. 1-9; Except 02-R-1982; 02-O-1882;

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

NV Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
NV Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

CONSENT I

11/18/02 Council Meeting	
ITEMS ADOPTED ON CONSENT	ITEMS ADVERSED
AGENDA	ON CONSENT AGENDA
1. 02-O-1774	31. 02-R-1937
2. 02-O-1972	32. 02-R-1938
3. 02-O-1297	33. 02-R-1939
4. 02-O-1859	34. 02-R-1940
5. 02-O-1860	35. 02-R-1941
6. 02-O-1861	36. 02-R-1942
7. 02-O-1974	37. 02-R-1943
8. 02-O-1979	38. 02-R-1944
9. 02-O-1902	39. 02-R-1945
10. 02-O-1962	40. 02-R-1946
11. 02-O-1971	41. 02-R-1947
12. 02-O-1863	42. 02-R-1948
13. 02-O-1864	43. 02-R-1949
14. 02-R-1924	44. 02-R-1950
15. 02-R-1952	
16. 02-R-1966	
17. 02-R-1996	
18. 02-R-2000	
19. 02-R-1951	
20. 02-R-1954	
21. 02-R-1978	
22. 02-R-1983	
23. 02-R-1984	
24. 02-R-1856	
25. 02-R-1931	
26. 02-R-1932	
27. 02-R-1933	
28. 02-R-1934	
29. 02-R-1935	
30. 02-R-1936	
Consent I Vote: 13 Yeas; 0 Nays (See RCS #4225)	
Items Removed from Consent: 02-R-1982; 02-R-1882	

(Do Not Write 1984)

A. RESOLUTION

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE

A. RESOLUTION AUTHORIZING
SETTLEMENT OF ALL CLAIMS OF
CARLTON GREGORY, SR., INDIVIDUALLY
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CARLTON GREGORY JR., A MINOR,
AGAINST THE CITY OF ATLANTA AND SGT.
CHARLES MOLNAR, OFFICER RICHARD
JONES, OFFICER WILLIAM MINTON, AND
OFFICER ANTHONY GENTILE IN THE CASE
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KEON JEROME ALMON, ET AL., CIVIL
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AMOUNT OF TWENTY THOUSAND
DOLLARS (\$20,000.00); AND FOR OTHER
PURPOSES.

LINDA K. DISANTIS
CITY ATTORNEY

Linda K. Disantis

- ☐ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

PLA Committee

11/18/02 Date

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

ADOPTED BY

NOV 18 2002

COUNCIL

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)
Other

Members

FINAL COUNCIL ACTION

- ☐ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

NOV 18 2002

CERTIFIED
NOV 18 2002
Rodney D. Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

Shirley Starks
NOV 18 2002